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09/917,779	07/31/2001	Hiromu Mukai	325772026200	1460

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EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 08/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/917,779

Applicant(s)

MUKAI ET AL.

Examiner

Andy S. Rao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mihara in view of Courtney.

Mihara discloses a communication apparatus, which communicates with a communication apparatus on the other side (Mihara: figure 5A), comprising: a detector which, during a connected state of communication with said communication apparatus on the other side (Mihara: column 6, lines 7-30), detects whether or not said communication apparatus on the other side is provided with an image-pickup device (Mihara: column 10, lines 15-25); a control information transmission requesting device which, if said detector detects that said communication apparatus on the other side is provided with said image-pickup device, requests said communication apparatus on the other side to transmit control information for controlling said image-pickup device (Mihara: column 9, lines 34-53); and a control signal transmission

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device which, after having received said control information requested by said control information transmission requesting device, transmits a control signal (Mihara: column 10, lines 10, lines 15-25) as in claim 1. However, Mihara fails to disclose and a control signal transmission device which, after having received said control information requested by said control information transmission requesting device, transmits a control signal for controlling said image-pickup device to said communication apparatus on the other side based upon the control information, as in the claim. Courtney discloses a bi-directional communication apparatus for controlling an image-pickup device of said communication apparatus on the other side based upon the control information using a remote handheld apparatus, wherein the handheld apparatus can control the camera position of the remote unit (Courtney: column 5, lines 6-30) in order to control the viewing area of interest remotely (Courtney: column 7, lines 35-50). Accordingly, given this teaching, it would have obvious for one of ordinary skill in the art to incorporate the Courtney of remote camera control in a local handheld device into the Mihara apparatus in order to control the viewing area of the imaging device on the side remotely. The Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has all of the features of claim 1.

Regarding claim 2, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has a display device for displaying an image received from said communication apparatus on the other side (Mihara: column 10, lines 20-30), as in the claim.

Regarding claim 3, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has a memory for storing

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said control information obtained by said control information transmission requesting device (Mihara: column 9, lines 40-50), as in the claim.

Regarding claim 4, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has said plurality of operation sections are number-inputting-use operation sections used for specifying said communication apparatus on the other side (Courtney: column 6, lines 15-23), as in the claim..

Regarding claims 5-6, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has an image-pickup device for picking up an image of a subject, wherein said plurality of operation sections are image-pickup-use operation sections that are installed so as to operate said image-pickup device attached to its own apparatus (Mihara: column 6, lines 50-67), as in the claims.

Regarding claim 7, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has the controlling of the image device on the other side comprising zooming, panning, tilting, still image releasing, and motion image-pickup starting or motion image-pickup terminating operations (Courtney: column 5, lines 35-67; column 6, lines 1-38), as in the claim.

Mihara discloses a communication apparatus, which communicates with a communication apparatus on the other side (Mihara: figure 5A), comprising: a detector which, during a connected state of communication with said communication apparatus on the other side (Mihara: column 6, lines 7-30), detects whether or not said communication apparatus on the other side is provided with an image-pickup device (Mihara: column 10, lines 15-25); an assignment information transmission device which, if said detector detects that said

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communication apparatus on the other side is provided with said image-pickup device, transmits to said communication apparatus on the other side assignment information that makes each of the operations of said image-pickup device and each of the operation signals associated with each other (Mihara: column 9, lines 34-53); and a control signal transmission device which, based upon input information from a predetermined operation input device, generates a signal to be transmitted to said communication apparatus on the other side (Mihara: column 10, lines 10, lines 15-25). However, Mihara fails to disclose a control signal transmission device which, based upon input information from a predetermined operation input device, generates an operation signal to be transmitted to said communication apparatus on the other side, as in the claim. Courtney discloses a bi-directional communication apparatus for a control signal transmission device which, based upon input information from a predetermined operation input device, generates an operation signal to be transmitted to said communication apparatus on the other side, wherein the handheld apparatus can control the camera position of the remote unit (Courtney: column 5, lines 6-30) in order to control the viewing area of interest remotely (Courtney: column 7, lines 35-50). Accordingly, given this teaching, it would have obvious for one of ordinary skill in the art to incorporate the Courtney of remote camera control in a local handheld device into the Mihara apparatus in order to control the viewing area of the imaging device on the side remotely. The Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has all of the features of claim 8.

Regarding claim 9, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has said operation input

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device is a number-inputting-use operation section used for specifying said communication apparatus on the other side so as to carry out a communication with said communication apparatus on the other side (Mihara: column 7, lines 45-53), as in the claim.

Regarding claim 10, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has a display device for displaying an image received and obtained from said communication apparatus on the other side (Mihara: column 10, lines 20-30), as in the claim..

Regarding claims 11-12, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has an image-pickup device for picking up an image of a subject, wherein said plurality of operation sections are image-pickup-use operation sections that are installed so as to operate said image-pickup device attached to its own apparatus (Mihara: column 6, lines 50-67), as in the claims.

Regarding claim 13, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has the controlling of the image device on the other side comprising zooming, panning, tilting, still image releasing, and motion image-pickup starting or motion image-pickup terminating operations (Courtney: column 5, lines 35-67; column 6, lines 1-38), as in the claim.

Mihara discloses a communication apparatus, which communicates apparatus on the other side (Mihara: figure 5A), comprising: an image-pickup device for picking up an image of a subject (Mihara: column 9, lines 30-35); a controller for controlling the operation of said image-pickup device (Mihara: column 9, lines 40-50); and an assignment information storage device for storing assignment information that makes each of the operations of said image-pickup device

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and each of the operation signals associated with each other (Mihara: column 6, lines 1-30), obtained from said communication apparatus on the other side, wherein, upon receipt of an operation signal from said communication apparatus on the other side (Mihara: column 10, lines 15-25), as in the claim 14. However, Mihara fails to disclose an assignment information storage device for storing assignment information that makes each of the operations of said image-pickup device and each of the operation signals associated with each other, obtained from said communication apparatus on the other side, wherein, upon receipt of an operation signal from said communication apparatus on the other side, said controller specifies the operation of said image-pickup device by reference to said assignment information so that said image-pickup device is controlled so as to carry out the corresponding operation, as in claim 14. Courtney discloses a bi-directional communication apparatus including an assignment information storage device for storing assignment information that makes each of the operations of said image-pickup device and each of the operation signals associated with each other, obtained from said communication apparatus on the other side, wherein, upon receipt of an operation signal from said communication apparatus on the other side, said controller specifies the operation of said image-pickup device by reference to said assignment information so that said image-pickup device is controlled so as to carry out the corresponding operation (Courtney: column 5, lines 6-30) in order to control the viewing area of interest remotely (Courtney: column 7, lines 35-50). Accordingly, given this teaching, it would have obvious for one of ordinary skill in the art to incorporate the Courtney of remote camera control in a local handheld device into the Mihara apparatus in order to control the viewing area of the imaging device on the side remotely. The

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Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has all of the features of claim 14.

Regarding claim 15, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has the controller making a conversion to obtain a control signal that is effective to its own apparatus based upon said operation of said image-pickup device that has been specified, and controls said image-pickup device by using said control signal (Courtney: column 6, lines 1-30), as in the claim.

Regarding claims 16-17, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has permitting or rejecting the controlling operation of said image-pickup device by said controller during connected state communication with said communication apparatus on the other side (Mihara: column 10, lines 20-30), as in the claims.

Regarding claim 18, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has an operation input device which, during the connected state of communication with said communication apparatus on the other side, gives an instruction related to said permission or rejection of the control operation to said image-pickup device (Mihara: column 17, lines 45-52), as in the claim.

Regarding claim 19, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has an operation input device which, with or without the connection to said communication apparatus on the other side, gives an instruction related to said rejection of the control operation with respect to said image-pickup device to said determination device (Courtney: column 6, lines 1-30), as in the claim..

Regarding claim 20, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has said determination device permitting said control operation of said image-pickup device (Courtney: column 65, lines 35-67; column 6, lines 1-3), as in the claim.

Regarding claim 21, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has said control operation to be permitted by said determination device includes zooming, panning, tilting, still image releasing, and motion image-pickup starting or motion image-pickup terminating operations (Courtney: column 3, lines 17-67), as in the claim.

Mihara discloses a mobile communication apparatus (Mihara: figure 5A) comprising: an image-pickup device for picking up an image of a subject (Mihara: column 3, lines 60-65); an image-pickup mode setting device for making said image-pickup mode for operating said image-pickup device effective (Mihara: column 5, lines 40-55), and plurality of number-inputting operation sections for specifying said communication apparatus on the other side so as to carry out a communication with said communication apparatus on the other side (Mihara: column 7, lines 45-53), as in claim 22. However, Mihara fails disclose the case when said image-pickup mode is set to be effective by said image-pickup mode setting device, said plurality of number-inputting operation sections function as operation input devices for inputting the contents of the ' operation of said image-pickup device as in claim 22. Courtney discloses a bi-directional communication apparatus including the case when said image-pickup mode is set to be effective by said image-pickup mode setting device, said plurality of number-inputting operation sections function as operation input devices for inputting the contents of the ' operation of said image-

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pickup device (Courtney: column 5, lines 6-30) in order to control the viewing area of interest remotely (Courtney: column 7, lines 35-50). Accordingly, given this teaching, it would have been obvious for one of ordinary skill in the art to incorporate the Courtney of remote camera control in a local handheld device into the Mihara apparatus in order to control the viewing area of the imaging device on the side remotely. The Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has all of the features of claim 22.

Regarding claim 23, Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has zooming, panning, tilting, still image releasing, and motion image-pickup starting or motion image-pickup terminating operations (Courtney: column 3, lines 15-67), as in the claim.

A communication system (Mihara: figure 5A), comprising: a first communication apparatus (Mihara: column 9, lines 30-35); and a second communication apparatus having an image-pickup device that is designed to communicate with said first communication apparatus (Mihara: column 3, lines 35-42: "video-conference apparatus"), wherein said second communication apparatus transmits control information for controlling said image-pickup device to said first communication apparatus in a connected state to said first communication apparatus, and said first communication apparatus transmits a control signal (Mihara: column 10, lines 10, lines 15-25) as in claim 24. However, Mihara fails to disclose and a control signal transmission device which, after having received said control information requested by said control information transmission requesting device, transmits a control signal for controlling said image-pickup device to said communication apparatus on the other side based upon the control

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information, as in the claim. Courtney discloses a bi-directional communication apparatus for controlling an image-pickup device of said communication apparatus on the other side based upon the control information using a remote handheld apparatus, wherein the handheld apparatus can control the camera position of the remote unit (Courtney: column 5, lines 6-30) in order to control the viewing area of interest remotely (Courtney: column 7, lines 35-50). Accordingly, given this teaching, it would have obvious for one of ordinary skill in the art to incorporate the Courtney of remote camera control in a local handheld device into the Mihara apparatus in order to control the viewing area of the imaging device on the side remotely. The Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has all of the features of claim 24.

Regarding claim 25, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has the first communication apparatus comprising a display device for displaying an image transmitted from said second communication apparatus (Mihara: column 9, lines 35-40; column 10, lines 20-30), as in the claim.

Mihara discloses a communication system comprising (Mihara: figure 5A). a first communication apparatus (Mihara: column 9, lines 30-35); and a second communication apparatus having an image-pickup device that is designed to communicate with said first communication apparatus (Mihara: column 3, lines 35-42: "video-conference apparatus"), said first communication apparatus transmits to said second communication apparatus an assignment information transmission device which, if said detector detects that said communication apparatus on the other side is provided with said image-pickup device, transmits to said

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communication apparatus on the other side assignment information that makes each of the operations of said image-pickup device and each of the operation signals associated with each other (Mihara: column 9, lines 34-53), which generates a signal to be transmitted to said communication apparatus on the other side (Mihara: column 10, lines 10, lines 15-25), as in claim 26. However, Mihara fails to disclose generating a control signal based upon input information from a predetermined operation input device, including generating an operation signal to be transmitted to said communication apparatus on the other side, as in the claim. Courtney discloses a bi-directional communication apparatus for a control signal transmission device which, based upon input information from a predetermined operation input device, generates an operation signal to be transmitted to said communication apparatus on the other side, wherein the handheld apparatus can control the camera position of the remote unit (Courtney: column 5, lines 6-30) in order to control the viewing area of interest remotely (Courtney: column 7, lines 35-50). Accordingly, given this teaching, it would have obvious for one of ordinary skill in the art to incorporate the Courtney of remote camera control in a local handheld device into the Mihara apparatus in order to control the viewing area of the imaging device on the side remotely. The Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has all of the features of claim 26

Mihara discloses a communication system comprising (Mihara: figure 5A). a first communication apparatus (Mihara: column 9, lines 30-35); and a second communication apparatus having an image-pickup device that is designed to communicate with said first communication apparatus (Mihara: column 3, lines 35-42: "video-conference apparatus"),

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wherein said first communication apparatus transmits a control signal (Mihara: column 10, lines 15-25) to said second communication apparatus, and said second communication apparatus comprises a controller for controlling said image-pickup device based upon said control signal (Mihara: column 9, lines 30-50); and a determination device for permitting or rejecting the controlling operation of said image-pickup device by said controller during a connected state of communication with said first communication apparatus (Mihara: column 10, lines 20-30), as in claim 27. However, Mihara fails to disclose wherein said first communication apparatus transmits a control signal to said second communication apparatus, and said second communication apparatus comprises a controller for controlling said image-pickup device based upon said control signal, as in the claim. Courtney discloses a bi-directional communication apparatus wherein a first communication apparatus transmits a control signal to said second communication apparatus, and said second communication apparatus comprises a controller for controlling said image-pickup device based upon said control signal, for controlling an image-pickup device of said communication apparatus on the other side based upon the control information using a remote handheld apparatus, wherein the handheld apparatus can control the camera position of the remote unit (Courtney: column 5, lines 6-30) in order to control the viewing area of interest remotely (Courtney: column 7, lines 35-50). Accordingly, given this teaching, it would have been obvious for one of ordinary skill in the art to incorporate the Courtney of remote camera control in a local handheld device into the Mihara apparatus in order to control the viewing area of the imaging device on the side remotely. The Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has all of the features of claim 27.

Regarding claim 28, the Mihara apparatus, now modified to include Courtney's teaching of controlling the viewing area of the imaging device on the other side, has wherein said first communication apparatus comprises a display device for displaying an image transmitted from said second communication apparatus (Mihara: column 10, lines 20-30), as in the claim.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Katz discloses a scheduling and processing system for telephone video communication. McNelley discloses a teleconferencing camcorder. Chong discloses a security and fire control system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (703)-305-4813. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on (703)-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Andy S. Rao
Primary Examiner
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ANDY RAO
PRIMARY EXAMINER

asr

July 27, 2004